

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PHYLLIS L. HERNANDEZ,

Plaintiff,

v.

Case No. 24-11141
Honorable Linda V. Parker

US ATTORNEY GENERAL,

Defendant.

/

**OPINION AND ORDER DISMISSING COMPLAINT FOR FAILURE TO
EFFECTUATE SERVICE**

Plaintiff initiated this pro se lawsuit on April 29, 2024. (ECF No. 1) On September 3, 2024, Plaintiff filed a Certificate of Service representing that service had been completed by mailing the complaint and summons to the US Department of Justice via U.S. Postal Service Certified Mail. (ECF No. 7) However, as this is a suit against a United States officer in his official capacity, Plaintiff must also comport with the requirements of Rule 4(i) of the Federal Rules of Civil Procedure, as explained in the Court's prior order. (*See* ECF No. 8)

On December 3, 2024, the Court issued a show cause order requiring Plaintiff to properly effectuate service or establish good cause for failing to do so by January 16, 2025. (ECF No. 8) The Court informed Plaintiff that failure to do so

would result of dismissal of this case. (*Id.*) As of the date of this order, Plaintiff has not responded to the show cause order.

Accordingly,

IT IS ORDERED that Plaintiff's Complaint against Defendant is **DISMISSED WITHOUT PREJUDICE** for failure to effectuate service pursuant to Federal Rule of Civil Procedure 4(m).

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: January 29, 2025

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, January 29, 2025, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager